

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Fredrik Stenmark

Group Art Unit: 2618

Serial No.: 10/617,325

Confirmation No.: 2825

Filed: July 10, 2003

Examiner: Minh D. Dao

For: **METHODS, ELECTRONIC DEVICES AND COMPUTER PROGRAM  
PRODUCTS FOR TRANSFERRING DATA STORED IN AN  
ELECTRONIC DEVICE WHEN A SUBSCRIBER IDENTITY  
MODULE IS ABSENT THEREFROM**

Date: April 20, 2009

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPELLANT'S BRIEF ON APPEAL UNDER 37 C.F.R. §41.37**

Sir:

This Appeal Brief is filed pursuant to the "Notice of Appeal to the Board of Patent Appeals and Interferences" filed June 17, 2008, the Office Action mailed March 17, 2008, and the Notice of Panel Decision from Pre-Appeal Review mailed on December 4, 2008.

**Real Party In Interest**

The real party in interest is assignee Sony Ericsson Mobile Communications AB, a corporation organized under the laws of Sweden having a principal place of business at Lund, Sweden.

**Related Appeals and Interferences**

Appellant is aware of no appeals or interferences that would be affected by the present appeal.

**Status of Claims**

Appellant appeals the rejection of Claims 1-38, as set forth in the Official Action mailed March 17, 2008 (herein after the *Official Action*), which as of the filing date of this Brief remain under consideration. Claims 1-38, are attached hereto as Appendix A.

### **Status of Amendments**

No Amendment has been filed subsequent to the issuance of the Official Action.

### **Summary of Claimed Subject Matter**

Independent Claim 1 is directed to methods of transferring data including transferring data from/to an electronic device when information used to register the electronic device with a wireless communications network is absent from the electronic device (Specification page 11, lines 1-11; Figure 3, Specification page 12, line 20 to page 13, line 18; Figure 4B, Specification page 13, line 19 to page 14, line 5; Figure 5B, Specification page 14, lines 6-22; Figure 6B, Specification page 14, line 23 to page 15, line 10; Figure 7C, Specification page 15, lines 24-34.)

Dependent Claim 12 indirectly depends from independent Claim 1, and is directed to methods where the data comprises at least one of contact information, schedule information, to-do information, e-mail information, web information, image information, audio information, and video information. (Specification page 11, lines 1-11; Figure 2, Memory 253, Specification page 9, line 28 to page 10, line 3; Figure 3, Specification page 12, line 20 to page 13, line 18).

Dependent Claim 13 indirectly depends from independent Claim 1, and is directed to methods where the data comprises excess data having a size that exceeds an unused storage capacity of the a SIM. (Specification page 11, lines 1-11; Figure 2, Memory 253, SIM 225, Specification page 9, line 28 to page 10, line 3).

Independent Claim 15 is directed to an electronic device for transferring data including a processor circuit configured to allow transfer of data from/to the electronic device when information used to register the electronic device with a wireless communications network is absent from the electronic device. (Specification page 11, lines 1-11; Figure 2, page 8, line 16 to page 12, line 19; Figure 3, Specification page 12, line 20 to page 13, line 18; Figure 4A and Figure 4B, Specification page 13, line 19 to page 14, line 5; Figure 5A and Figure 5B, Specification page 14, lines 6-22; Figure 6A and Figure 6B, Specification page 14,

line 23 to page 15, line 10; Figure 7A, Figure 7B, and Figure 7C, Specification page 15, lines 24-34.)

Dependent Claim 25 depends from independent Claim 15, an electronic device further including a non-volatile memory that is configured to store the data outside a SIM used to store the information. (Specification page 11, lines 1-11; Figure 2, Memory 253, SIM 225, Specification page 9, line 28 to page 10, line 3).

Dependent Claim 26 indirectly depends from independent Claim 15, and is directed to an electronic device where the data comprises at least one of contact information, schedule information, to-do information, e-mail information, web information, image information, audio information, and video information. (Specification page 11, lines 1-11; Figure 2, Memory 253, Specification page 9, line 28 to page 10, line 3; Figure 3, Specification page 12, line 20 to page 13, line 18).

Dependent Claim 27 indirectly depends from independent Claim 15, and is directed to an electronic device where the data comprises excess data having a size that exceeds an unused storage capacity of the SIM. (Specification page 11, lines 1-11; Figure 2, Memory 253, SIM 225, Specification page 9, line 28 to page 10, line 3).

Independent Claim 29 is directed to an electronic device for transferring data including a processor circuit configured to allow transfer of user selectable data from a memory of an the electronic device to an output therefrom when information used to register the electronic device with a wireless communications network is absent from the electronic device. (Specification page 11, lines 1-11; Figure 2, page 8, line 16 to page 12, line 19; Figure 3, Specification page 12, line 20 to page 13, line 18; Figure 4A and Figure 4B, Specification page 13, line 19 to page 14, line 5; Figure 5A and Figure 5B, Specification page 14, lines 6-22; Figure 6A and Figure 6B, Specification page 14, line 23 to page 15, line 10; Figure 7A, Figure 7B, and Figure 7C, Specification page 15, lines 24-34.)

Dependent Claim 30 depends from independent Claim 29, and is directed to an electronic device where the user selectable data comprises at least one of audio information transferred to headphones coupled to the electronic device and video or image data transferred to a display of the electronic device that is selected by a user. (Specification page 11, lines 1-11; Figure 8, page 16, lines 7-18).

Independent Claim 31 is directed to a computer program product for transferring data from/to an electronic device including a computer readable medium having computer readable program code embodied therein, where the computer readable program code includes computer readable program code that is configured to transfer data from/to the electronic device when information used to register the electronic device with a wireless communications network is absent from the electronic device. (Specification page 11, lines 1-11; Figure 2, page 8, line 16 to page 12, line 19; Figure 3, Specification page 12, line 20 to page 13, line 18; Figure 4A and Figure 4B, Specification page 13, line 19 to page 14, line 5; Figure 5A and Figure 5B, Specification page 14, lines 6-22; Figure 6A and Figure 6B, Specification page 14, line 23 to page 15, line 10; Figure 7A, Figure 7B, and Figure 7C, Specification page 15, lines 24-34.)

Independent Claim 32 is directed to a method of transferring data from/to an electronic device including transferring data from/to a first electronic device to/from a second electronic device when a removable Subscriber Identity Module (SIM) that stores information used to register the first electronic device with a wireless communications network is absent from the first electronic device, wherein the first and second electronic devices are associated with a common subscriber to the wireless communications network. (Specification page 11, lines 1-11; Figure 2, page 8, line 16 to page 12, line 19; Figure 3, Specification page 12, line 20 to page 13, line 18; Figure 4A and Figure 4B, Specification page 13, line 19 to page 14, line 5; Figure 5A and Figure 5B, Specification page 14, lines 6-22; Figure 6A and Figure 6B, Specification page 14, line 23 to page 15, line 10; Figure 7A, Figure 7B, and Figure 7C, Specification page 15, lines 24-34.)

#### **Grounds of Rejection to be Reviewed on Appeal**

Claims 1-38 stand rejected under 35 U.S.C. 102(e) over U.S. Patent Publication No. 2002/0177410 to Klein et al. ("Klein"). *Official Action, page 2.*

Dependent Claims 12 and 26 stand rejected under 35 U.S.C. 102(e) over U.S. Patent Publication No. 2002/0177410 to Klein et al. ("Klein"). *Official Action, pages 5 and 7, respectively.*

Dependent Claims 13 and 27 stand rejected under 35 U.S.C. 102(e) over U.S. Patent Publication No. 2002/0177410 to Klein et al. ("Klein"). *Official Action, pages 5 and 7, respectively.*

Dependent Claim 25 stands rejected under 35 U.S.C. 102(e) over U.S. Patent Publication No. 2002/0177410 to Klein et al. ("Klein"). *Official Action, page 7.*

Dependent Claim 30 stands rejected under 35 U.S.C. 102(e) over U.S. Patent Publication No. 2002/0177410 to Klein et al. ("Klein"). *Official Action, page 8.*

Dependent Claim 38 stands rejected under 35 U.S.C. 102(e) over U.S. Patent Publication No. 2002/0177410 to Klein et al. ("Klein"). *Official Action, page 9.*

## ARGUMENT

### I. 35 U.S.C. § 102

Under 35 U.S.C. § 102, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. § 2131 (quoting *Verdegaal Bros. v. Union Oil Co.*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987)). "Anticipation under 35 U.S.C. § 102 requires the disclosure in a single piece of prior art of each and every limitation of a claimed invention." *Apple Computer Inc. v. Articulate Sys. Inc.*, 57 U.S.P.Q.2d 1057, 1061 (Fed. Cir. 2000). "The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. To establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.'" M.P.E.P. § 2112 (citations omitted).

A finding of anticipation further requires that there must be no difference between the claimed invention and the disclosure of the cited reference as viewed by one of ordinary skill in the art. *See Scripps Clinic & Research Foundation v. Genentech Inc.*, 927 F.2d 1565, 1576, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991). In particular, the Court of Appeals for the Federal Circuit held that a finding of

anticipation requires absolute identity for each and every element set forth in the claimed invention. *See Trintec Indus. Inc. v. Top-U.S.A. Corp.*, 63 U.S.P.Q.2d 1597 (Fed. Cir. 2002). Additionally, the cited prior art reference must be enabling, thereby placing the allegedly disclosed matter in the possession of the public. *In re Brown*, 329 F.2d 1006, 1011, 141 U.S.P.Q. 245, 249 (C.C.P.A. 1964). Thus, the prior art reference must adequately describe the claimed invention so that a person of ordinary skill in the art could make and use the invention.

Even more recently, the Federal Circuit held in *Net MoneyIn v. Verisign*, 2007-156515, pages 15-16, that under section 102:

a reference that discloses all of the claimed ingredients, but not in the order claimed, would not anticipate, because the reference would be missing any disclosure of the limitations of the claimed invention “arranged as in the claim.” But the “arranged as in the claim” requirement is not limited to such a narrow set of “order of limitations” claims. Rather, our precedent informs that the “arranged as in the claim” requirement applies to all claims and refers to the need for an anticipatory reference to show all of the limitations of the claims arranged or combined in the same way as recited in the claims, not merely in a particular order. The test is thus more accurately understood to mean “arranged or combined in the same way as in the claim.”

Appellant respectfully submits that the pending independent claims are patentable over the cited references for at least the reason that the cited reference does not disclose or suggest many of the recitations of the claims. The patentability of the pending claims is discussed in detail hereinafter.

## **II. Rejections under 35 U.S.C. § 102(e)**

Claims 1-38 stand rejected under 35 U.S.C. 102 over U.S. Patent Publication No. 2002/0177410 to Klein et al. ("Klein"). *Official Action, page 2*. In particular, independent Claims 1, 15, 29, 31 and 32 are all rejected for the same reasoning and citation of Figure 1 and paragraphs 3-17 of Klein. For example, the rejection of Claim 1 reads as follows:

Regarding claim 1, Klein teaches a method of transferring data from/to an electronic device comprising: transferring data from/to and electronic device when information used to register the electronic device with a wireless communications network is absent from the electronic device (see figs. 1; sections ([0003-0017])). *See Official Action page 2*.

The rejections of Claims 15, 29, 31 and 32 include a similar basis for each respective rejection.

After reviewing the cited sections of Klein (which essentially constitutes the entire detailed description and summary of Klein), Appellant respectfully maintains that Klein does not disclose the recitations of the above independent claims as, for example, none of Klein's embodiments show transferring data from/to an electronic device when information used to register the electronic device with a wireless communications network is absent from the electronic device.

For example, paragraph 13 of Klein describes a situation where two of the subscribers GSM terminals (T1/T2) come into proximity with one another whereupon one of the terminals is re-registered as being the primary means of contacting the subscriber in his or her car. Accordingly, the GSM terminal in the subscribers car is registered as the primary means for communicating with the subscriber while the subscriber is in the car, but the registration reverts to the previous state when the subscriber leaves the car. Accordingly, both terminals maintain registration information to enable re-registration of each when the subscriber exits the car.

This situation does not disclose or suggest the recitations of independent Claim 1, as both terminals maintain the respective information used to register the terminals with the network regardless of which terminal is registered as the primary means of contact. In other words, terminals T1 and T2 in this situation both include the information that each needs to register with the wireless communications network so that each will be able to re-register when the subscriber leaves the car.

Accordingly, neither T1 nor T2 transfers data from/to an electronic device when information used to register the electronic device with a wireless communication network is **absent** from the electronic device, as recited in independent Claim 1 and is similarly recited in independent Claims 15, 29, and 31.

Further, Klein goes on to describe another situation in paragraph 14 where the first terminal remains a GSM terminal whereas the second terminal is a DECT terminal. This situation is described similarly to that shown in paragraph 13 however, the DECT terminal is re-registered as the primary means of communicating with the subscriber when the terminal T1 is brought into proximity with the DECT terminal. However, even assuming for the sake of argument that the DECT terminal may not

contain information used to register the device, **the DECT terminal does not register with a wireless communications network, as claimed**. Accordingly, this section of Klein also does not disclose or suggest the recitations of independent Claims 1, 15, 29, 31 and 32.

Further, the situation in paragraph 17 of Klein also does not disclose or suggest the recitations of these independent claims. For example, Klein describes this configuration in that both terminals T1 and T2 include information used to register each with the network. For example, paragraph 17 reads in part:

In one configuration of the invention the subscriber profile can be made available in each case on the current terminal. The subscriber profile is, for example, stored on a SIM card of the subscriber. **The SIM card is, e.g., inserted into terminal T1. After registration of terminal T2...**(See Klein, paragraph 17.)

As shown above by the cited passage of Klein, both T1 and T2 in this situation include information used to register with the network (i.e., on the SIM for T1 and evidenced by the fact that T2 is registered). Accordingly, this situation from Klein also does not disclose or suggest the recitations of independent Claims 1, 15, 29, and 31.

Further, Klein also does not disclose or suggest the recitations of independent Claim 32. In particular, Claim 32 is rejected using the same portions of Klein: Figure 1 in paragraphs 3-17). Appellant reiterates the reasoning applied above with reference to the situation in Klein that are discussed in paragraphs 13, 14, etc.

Furthermore, Appellant notes that although the situation in paragraph 17 of Klein does vaguely mention that a SIM may be absent from T2, this section of Klein clearly describes that T2 is registered:

In one configuration of the invention the subscriber profile can be made available in each case on the current terminal. The subscriber profile is, for example, stored on a SIM card of the subscriber. **The SIM card is, e.g., inserted into terminal T1. After registration of terminal T2...**(See Klein, paragraph 17.)

Accordingly, even assuming for the sake of argument that this portion of Klein does somehow disclose a SIM which is absent from T2, the situation still does not disclose or suggest that a SIM that stores information used to register the first electronic device



with a wireless communication network is absent from the first device because Klein clearly states that T2 is registered with a network. Accordingly, Appellant respectfully submits that Klein also does not disclose or suggest the recitations of independent Claim 32 for at least these reasons.

### **III. Dependent Claims 12 and 26 Are Separately Patentable**

Appellant specifically points out that many of the recitations of the dependent claims are also not disclosed or suggested by Klein. For example, Klein does not disclose or suggest the recitations of dependent Claim 12 (and similar recitations of dependent Claim 26), which recites in part that the data transferred comprises, for example, contact information, schedule information, to do information, email information, web information, image information, audio information, video information where the data is stored in a non-volatile memory of the electronic device. (See for example, the recitations of independent Claim 11 from which dependent Claim 12 depends.)

In contrast, the discussion in Klein appears to relate entirely to the content of SIM cards, and therefore does not disclose or suggest anything regarding information that is stored some place other than the SIM card in either of the terminals. Accordingly, Appellant respectfully submits that Klein also does not disclose or suggest the recitations of dependent Claims 12 and 26.

### **IV. Dependent Claims 13 and 27 Are Separately Patentable**

Dependent Claims 13 and 27 stand rejected under 35 U.S.C. 102(e) over U.S. Patent Publication No. 2002/0177410 to Klein et al. ("Klein"). *Official Action*, pages 5 and 7, respectively. Klein does not disclose or suggest, for example, that the data comprises "excess data having a size that exceeds an unused storage capacity of the a SIM," as recited in in dependent Claims 13 and 27.

### **V. Dependent Claim 25 Is Separately Patentable**

Dependent Claims 25 stands rejected under 35 U.S.C. 102(e) over U.S. Patent Publication No. 2002/0177410 to Klein et al. ("Klein"). *Official Action*, page 7.

Klein does not disclose or suggest, for example, that a non-volatile memory is configured to "store the data outside a SIM used to store the information," as recited in dependent Claim 25 in conjunction with the recitations of independent Claim 15.

#### **VI. Dependent Claim 30 Is Separately Patentable**

Dependent Claim 30 stands rejected under 35 U.S.C. 102(e) over U.S. Patent Publication No. 2002/0177410 to Klein et al. ("Klein"). *Official Action, page 8*. Klein does not disclose or suggest, for example, that the "user selectable data comprises at least one of audio information transferred to headphones coupled to the electronic device and video or image data transferred to a display of the electronic device that is selected by a user," as recited in dependent Claim 30.

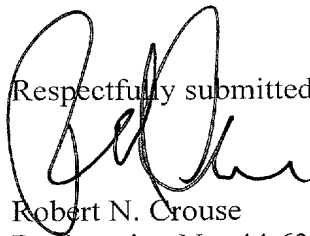
#### **VII. Dependent Claim 38 Is Separately Patentable**

Appellant respectfully submits that Klein does not disclose or suggest the recitations of dependent Claim 38, which recites in part that a second SIM stores information used to register the second electronic device with the communications network is absent from the second electronic device while transferring data. In particular, many of the situations discussed in Klein do not even refer to whether a SIM card is absent or present. Furthermore, the situation discussed in paragraph 17 of Klein is unclear whether a SIM card is truly absent from T2 or not. However, even assuming for the sake of argument that the SIM card were absent from T2, nothing in this section (or any other portion of Klein) discloses or suggests that a SIM card is absent from T1 as well as T2. Accordingly, Appellant respectfully submits that dependent Claim 38 is also patentable over Klein for at least these additional reasons.

#### **VIII. Conclusion**

In summary, Appellant respectfully submits that Claims 1-38, are patentable over the cited reference for at least the reasons described herein. Accordingly, Appellants respectfully request the reversal of the rejections of Claims 1-38, and the allowance thereof.

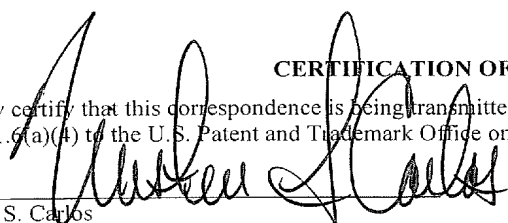
In re: Fredrik Stenmark  
Serial No.: 10/617,325  
Filed: July 10, 2003  
Page 11 of 21

Respectfully submitted,  
  
Robert N. Crouse  
Registration No. 44,635

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401  
Customer No. 20792

**CERTIFICATION OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on April 20, 2009.

  
Kirsten S. Carlos

## APPENDIX A

1. (Previously Presented) A method of transferring data comprising:  
transferring data from/to an electronic device when information used to register the electronic device with a wireless communications network is absent from the electronic device.
2. (Previously Presented) A method according to Claim 1 further comprising:  
determining that a SIM used to store the information is absent from the electronic device; and  
determining if a transfer mode is enabled to allow transferring data while the SIM is absent from the electronic device.
3. (Original) A method according to Claim 2 further comprising:  
transferring data if the transfer mode is enabled and blocking transferring data if the transfer mode is disabled.
4. (Original) A method according to Claim 2 wherein the step of determining if a transfer mode is enabled comprises:  
requesting input to the electronic device;  
receiving input to the electronic device via an input device associated with the electronic device; and  
determining if the received input enables transfer mode.
5. (Original) A method according to Claim 1 wherein the step of transferring comprises transferring the data using a first communications channel that is separate from a second communications channel used to register the electronic device with the communications network.

6. (Original) A method according to Claim 5 wherein the first communications channel is carried over at least one of an infrared communications link, a Bluetooth communications link, a USB interface, and an IEEE 802.11 communications link.

7. (Original) A method according to Claim 1 wherein the electronic device comprises a mobile cellular radiotelephone configured to register in a Global System for Mobile telecommunications compliant communications network.

8. (Previously Presented) A method according to Claim 1 wherein the electronic device comprises a first electronic device, the method further comprising:

determining, in the first electronic device, that a SIM used to store the information is absent therefrom;

determining if a transfer mode is enabled for the first electronic device to allow the transfer of data from/to a second electronic device while the SIM is absent; and

transferring data from the first electronic device or receiving data from the second electronic device responsive to determining that the transfer mode is enabled for the first electronic device.

9. (Original) A method according to Claim 8 wherein a second SIM that stores information used to register the second electronic device with the communications network is absent from the second electronic device while transferring data.

10. (Original) A method according to Claim 1 further comprising:  
transferring the data while a SIM that stores information other than that used to register the electronic device with the communications network is present in the electronic device.

11. (Original) A method according to Claim 1 wherein the data comprises data stored in non-volatile memory of the electronic device.

12. (Original) A method according to Claim 11 wherein the data comprises at least one of contact information, schedule information, to-do information, e-mail information, web information, image information, audio information, and video information.

13. (Previously Presented) A method according to Claim 11 wherein the data comprises excess data having a size that exceeds an unused storage capacity of the a SIM.

14. (Original) A method according to Claim 1 wherein the electronic device comprises a unitary mobile cellular radiotelephone.

15. (Previously Presented) An electronic device for transferring data comprising:

a processor circuit configured to allow transfer of data from/to the electronic device when information used to register the electronic device with a wireless communications network is absent from the electronic device.

16. (Previously Presented) An electronic device according to Claim 15 wherein the processor circuit is configured to determine whether a SIM used to store the information is present or absent from the electronic device, the electronic device further comprising:

a registration circuit configured to register the electronic device with the communications network responsive to the processor circuit determining that the SIM is present; and

a data transfer circuit configured to transfer data from/to the electronic device responsive to the processor circuit determining that the SIM is absent and a transfer mode is enabled to allow transferring data while the SIM is absent.

17. (Previously Presented) An electronic device according to Claim 15 wherein the processor circuit is further configured to allow transfer of data if a transfer mode is enabled and a SIM used to store the information is absent and to block the transfer of data if the transfer mode is disabled.

18. (Original) An electronic device according to Claim 16 wherein the processor circuit is further configured to:

request an input;  
receive input via an input device associated with electronic device; and  
determine if the received input enables transfer mode.

19. (Original) An electronic device according to Claim 16 wherein the data transfer circuit is configured to transfer the data using a first communications channel; and

wherein the registration circuit is configured to register the electronic device with the communications network using a second communications channel that is separate from the first communications channel.

20. (Original) An electronic device according to Claim 19 wherein the first communications channel is carried over at least one of an infrared communications link a Bluetooth communications link, a USB interface, and an IEEE 802.11 communications link.

21. (Original) An electronic device according to Claim 15 wherein the electronic device comprises a mobile cellular radio telephone configured to register in a Global System for Mobile telecommunications compliant communications network.

22. (Previously Presented) An electronic device according to Claim 15 wherein the electronic device comprises a first electronic device, the processor circuit is further configured to:

determine, in the first electronic device, that a SIM used to store the information is absent therefrom;

determine if a transfer mode is enabled for the first electronic device to allow the transfer of data from/to a second electronic device while the SIM is absent; and

transfer data from the first electronic device or receiving data from the second electronic device responsive to determining that the transfer mode is enabled for the first electronic device.

23. (Original) An electronic device according to Claim 22 wherein a second SIM that stores information used to register the second electronic device with the communications network is absent from the second electronic device.

24. (Original) An electronic device according to Claim 15 wherein the processor circuit is further configured to allow transfer the data while a SIM that stores information other than that used to register the electronic device with the communications network is present in the electronic device.

25. (Previously Presented) An electronic device according to Claim 15 further comprising:

a non-volatile memory configured to store the data outside a SIM used to store the information.

26. (Previously Presented) An electronic device according to Claim 25 wherein the data comprises at least one of contact information, schedule information, to-do information, e-mail information, web information, image information, audio information, and video information.

27. (Previously Presented) An electronic device according to Claim 25 wherein the data comprises excess data having a size that exceeds an unused storage capacity of the SIM.

28. (Original) An electronic device according to Claim 15 wherein the electronic device comprises a unitary mobile cellular radiotelephone.



29. (Previously Presented) An electronic device for transferring data comprising:

a processor circuit configured to allow transfer of user selectable data from a memory of an the electronic device to an output therefrom when information used to register the electronic device with a wireless communications network is absent from the electronic device.

30. (Original) An electronic device according to Claim 29 wherein the user selectable data comprises at least one of audio information transferred to headphones coupled to the electronic device and video or image data transferred to a display of the electronic device that is selected by a user.

31. (Previously Presented) A computer program product for transferring data from/to an electronic device, comprising:

a computer readable medium having computer readable program code embodied therein, the computer readable program code comprising:

computer readable program code configured to transfer data from/to the electronic device when information used to register the electronic device with a wireless communications network is absent from the electronic device.

32. (Previously Presented) A method of transferring data from/to an electronic device comprising:

transferring data from/to a first electronic device to/from a second electronic device when a removable Subscriber Identity Module (SIM) that stores information used to register the first electronic device with a wireless communications network is absent from the first electronic device, wherein the first and second electronic devices are associated with a common subscriber to the wireless communications network.

33. (Previously Presented) A method according to Claim 32 further comprising:

determining that the SIM is absent therefrom; and

determining if a transfer mode is enabled for the first electronic device to allow transferring data from/to a second electronic device while the SIM is absent from the first electronic device; and

transferring data from the first electronic device or receiving data from the second electronic device responsive to determining that the transfer mode is enabled for the first electronic device.

34. (Previously Presented) A method according to Claim 33 wherein determining if a transfer mode is enabled for the first electronic device comprises:  
requesting input to the first electronic device;  
receiving input to the first electronic device via an input device associated with the first electronic device; and  
determining if the received input enables transfer mode.

35. (Previously Presented) A method according to Claim 32 wherein transferring comprises transferring the data between said electronic devices using a first communications channel that is separate from a second communications channel used to register the electronic device with the wireless communications network.

36. (Previously Presented) A method according to Claim 35 wherein the first communications channel is carried over at least one of an infrared communications link, a BlueTooth communications link, a USB interface, and an IEEE 802.11 communications link.

37. (Previously Presented) A method according to Claim 32 wherein the first electronic device comprises a mobile cellular radiotelephone configured to register in a Global System for Mobile telecommunications compliant communications network.

38. (Previously Presented) A method according to Claim 37 wherein a second SIM that stores information used to register the second electronic device with

In re: Fredrik Stenmark  
Serial No.: 10/617,325  
Filed: July 10, 2003  
Page 19 of 21

the communications network is absent from the second electronic device while transferring data.

In re: Fredrik Stenmark  
Serial No.: 10/617,325  
Filed: July 10, 2003  
Page 20 of 21

**APPENDIX B-EVIDENCE APPENDIX**

None

In re; Fredrik Stenmark  
Serial No.: 10/617,325  
Filed: July 10, 2003  
Page 21 of 21

**APPENDIX C- RELATED PROCEEDINGS APPENDIX**

None